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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

RANDY ALLEN UPHAM,	Case No. 3:18-cv-2129-BR
Plaintiff,	
V.	ORDER GRANTING *STIPULATED* MOTION FOR AN AWARD OF ATTORNEY FEES PUSUANT TO THE
COMMISSIONER, SOCIAL SECURITY ADMINISTRATION,	EQUAL ACCESS TO JUSTICE ACT (EAJA)
Defendant.	

This matter having come before the court upon the Stipulated Motion of the parties, and this court being otherwise fully advised

IT IS HEREBY ORDERED that plaintiff is awarded Equal Access to Justice (EAJA) Fees in the amount of $3,668.50

IT IS FURTHER HEREBY ORDERED that under *Astrue v. Ratliff*, 130 S. Ct 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)).

IT IS FURTHER HEREBY ORDERED that plaintiff having assigned his right to EAJA fees to his attorney, if after receiving the Court's EAJA fee order the Commissioner determines

ORDER GRANTING *STIPULATED* MOTION FOR AN AWARD OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT (EAJA)

that plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the Commissioner agrees to waive the requirements of the Anti-Assignment Act and the EAJA fees will be made payable to plaintiff's attorney, at her address: 14523 Westlake Drive, Lake Oswego, OR 97035..

IT IS FURTHER HEREBY ORDERED that, if there is a debt owed under the Treasury Offset Program, the requirements of the Anti-Assignment Act cannot be waived, and the remaining EAJA fees after offset will be paid by a check made out to plaintiff but delivered to plaintiff's attorney.

Dated: March 4, 2020

_____
ANNA J. BROWN
United States Senior District Judge